

REMARKS

This Amendment is submitted in response to the June 20, 2005 Office Action issued in connection with the above-identified application. Claims 1 and 20 (the only independent claims) have been amended. Accordingly, the claims now pending are amended independent claim 1, with claims 2-19 depending therefrom, and amended claim 20, with claims 21- 33 depending therefrom. No new matter has been added. The examiner's review and consideration of the amended claims in view of the following remarks is requested.

In the Office Action, the Examiner has rejected claims 1, 15, 17, 19-24, 32 and 33 as allegedly anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 6,393,637 (Hoffman). The remaining claims have been rejected as allegedly rendered obvious under 35 U.S.C. 103(a) from Hoffman alone or in combination with U.S. Patent No. 4,734,948 (Danova) or U.S. Patent No. 5,920,931 (Zuehlke). Applicant respectfully traverses these rejections.

The subject invention is a convertible blanket having a blanket portion and a pocket, such that the blanket portion can be easily stored in the pouch. The blanket portion has a pattern or theme, such as a cartoon character, which appeals to children, and the pocket has a matching motif with the blanket portion. The pocket is conspicuously located on and attached to the blanket portion at a central location to add aesthetic appeal to the blanket and to provide for easy storage of the blanket in the pocket. This is accomplished by simply stuffing the blanket portion of the convertible blanket into the pocket as shown in the figures.

In accordance with claims 1 and 20, as now amended, the pocket is "visually appealing in shape and color and conspicuously positioned such that it is the focal point of the blanket ... and

wherein the blanket is easily stowed inside the pocket by stuffing the blanket into the pocket without requiring intricate folding of the blanket".

Turning now to the rejections, Hoffman discloses a poncho that folds up to fit within a convenient carry bag attached to the poncho. The carry bag is solely a functional aspect of the poncho; a necessary feature that is preferably hidden from sight, much as is the pouch portion of a K-Way jacket. The carry bag is not intended to be noticed or to be visually appealing and, in fact, the carry bag is described and shown as a plain square pocket. The Hoffman poncho is clearly intended for outdoor use, as it is a waterproof poncho which can be folded up for convenient storage when not in use. The poncho can be folded length-wise in half, with opposing edges zippered together to form a sleeping bag of sorts, although it is believed that the head-hole in the poncho's center would detract from its usefulness as a blanket or sleeping bag.

In order to fit the poncho in the pouch, an intricate folding operation must be performed, as described in Col. 4, lines 50-67. The folding operation results in a folded poncho that has the same width as the pouch. This suggests that if the poncho was folded up in other ways, or not folded up at all but simply stuffed into the pouch, the dimension of the poncho would exceed the dimension of the pouch and would not fit therein.

By contrast, the pocket of the present invention is the focal point of the blanket. It is shaped, colored and decorated so as to attract attention. This makes the blanket particularly suited for children, unlike the poncho disclosed by Hoffman. Further, the blanket of the present invention is much better suited for indoor use, and for use as a blanket or sleeping bag, as it does not include the hole for the head disclosed by Hoffman. Perhaps most importantly, the blanket of amended claims 1 and 20 are "easily stowed inside the pocket by stuffing the blanket into the pocket without requiring intricate folding of the blanket". Thus, a child can easily store the

blanket in the pouch. For at least these reasons, it is believed that claims 1 and 20, as amended are not anticipated by Hoffman.

In the Office Action it has been suggested that it would have been obvious to create a blanket with a pocket having a variety of possible shapes by combining the teachings of Hoffman in view of Denova. Denova discloses a stuffed animal attached to a blanket, wherein the head of the animal forms a reversible pocket, and the torso of the animal comprises reversible flaps attached along one edge to the blanket. Denova does not teach or suggest a pocket that contains the entire blanket. Instead, a major portion of the blanket is rolled up and held together by means of the flaps that snap together. Stowing of the blanket is accordingly a complex procedure which requires an intricate folding process, akin to Hoffman, that would likely be difficult for children.

The Office Action also states that it would be obvious to create a blanket with printed material on the pocket according to the teachings of Hoffman in view of Zuehlke, the latter of which discloses a blanket that can be folded to fit into a pocket that is attached to the corner of the blanket. In order to convert the blanket to a cushion, and like Hoffman and Denova, it is necessary to follow a specific folding pattern. Accordingly, positioning the blanket within the pocket is not a task that can be easily performed by children, as they are not likely to be able to fold the blanket properly. Zuehlke also mentions the possibility of a decorative pattern on the pocket (column 4, lines 1-2), but does not teach that the pocket is also the focal point of the blanket with an appealing shape and color.

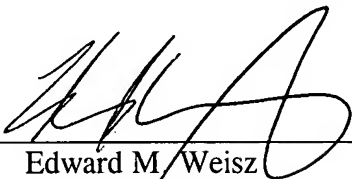
Because neither Hoffman, Denova or Zuehlke teach a convertible blanket as now set forth in the amended independent claims, the combination of those references does not result in the applicant's invention. Accordingly, it is believed that the independent claims and their

respective claims are neither anticipated, nor are they rendered obvious by Hoffman, Denova or Zuehlke, whether considered alone or in combination.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By 
Edward M. Weisz
Reg. No. 37,257
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: September 20, 2005